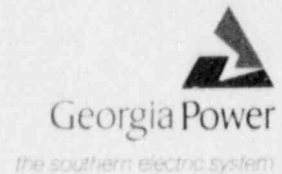


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January 15, 1988

U. S. Nuclear Regulatory Commission
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PLANT VOGTLE - UNIT 1
NRC DOCKET 50-424
OPERATING LICENSE NPF-68
TEMPORARY EXEMPTION REQUEST: 10CFR 50.71(e), FSAR ANNUAL UPDATE

Gentlemen:

10 CFR 50.71(e) requires that a revision of the original Final Safety Analysis Report (FSAR) be submitted within 24 months of the date of issuance of the facility operating license. The Unit 1 reactor of the Vogtle Electric Generating Plant (VEGP) received its low power operating license on January 16, 1987; therefore, the Updated FSAR (UFSAR) is due by January 16, 1989. In accordance with 10 CFR 50.12, a schedular exemption to this requirement is hereby requested and is necessitated by the ongoing construction of VEGP Unit 2 which is scheduled to obtain an operating license in February, 1989.

We have determined that the following "special circumstances" as defined by 10 CFR 50.12 are applicable to the requested exemption:

50.12(a)(2)(i):

"Application of the regulation in the particular circumstances conflicts with other rules or requirements of the Commission."

On June 22, 1983, GPC submitted the FSAR for both units of the VEGP. From that time until the present, the staff has reviewed the FSAR on the basis that it was for both units; however, since Units 1 and 2 are not receiving operating licenses at the same time, there are two regulations which come into conflict with each other. 10 CFR 50.34 requires GPC to amend the FSAR in order to keep the information contained therein current, whereas 10 CFR 50.71(e) requires GPC to submit an entirely new document, a UFSAR, which replaces the existing FSAR. Therefore, in order to comply with these two regulations concurrently, GPC would have to maintain both the FSAR with amendments and the UFSAR. Maintaining two versions of the same licensing document for each unit would be difficult, could lead to ambiguities and confusion and would serve no useful purpose if the existing FSAR is maintained up-to-date through the licensing of Unit 2.

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50.12(a)(2)(ii):

"Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

The underlying purpose of the requirement for periodic updating of the FSAR after facility operation commences is to assure that accurate and timely information on a facility and its design is readily available. The existing FSAR will be kept current by periodic amendments during the period that the requested exemption is in effect. Thus amending the existing FSAR during the interim will assure that the NRC is supplied with accurate information regarding both units on a timely basis. Changes to the FSAR which will be filed periodically include the following:

1. Revisions necessary to reflect changes made to Unit 1 under the provisions of 10 CFR 50.59;
2. Revisions applicable to Unit 2;
3. Typographical and editorial corrections; and
4. Changes to the Quality Assurance Program description as required by 10 CFR 50.54(a)(3) and 10 CFR 50.55(f)(3).

The periodic submittal of such information in the form of page changes to the existing FSAR will assure that underlying purpose of the rule is met.

50.12(a)(2)(iii):

"Compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted. . ."

In order to fulfill the requirements of 50.71(e) it would be necessary to generate and maintain a separate FSAR for each Vogtle unit because of the differences between the operational dates of the two units. Although the existing VEGP FSAR accurately describes both units, extensive review and rewording would be required to edit and compile an UFSAR applicable to only Unit 1. In addition, undue difficulties would be presented by the administrative problems associated with the maintenance of a second FSAR, such as; maintaining consistency between

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documents; logging and tracking additional FSAR changes; establishing and maintaining new FSAR change procedures; maintaining separate distributions for FSAR revisions; coordination of editorial activities; and establishing additional document retention capabilities. We do not believe that it was the Commission's intent to impose hardships such as these when the regulation was adopted.

50.12(a)(2)(v):

"The exemption would provide only temporary relief from the applicable regulations and the licensee or applicant has made good faith efforts to comply with the regulation."

The request for exemption from the requirements of 50.71(e) is scheduler in nature. The exemption would only defer the submittal of the UFSAR until 12 months after the issuance of a full power operating license for VEGP Unit 2. In the time frame since GPC received the Unit 1 OL, GPC has continued to amend the FSAR on an as-needed basis to support the licensing of Unit 2 and to provide updated information for Unit 1. On May 6, 1987, GPC submitted Amendment 33, and on August 31, 1987, GPC submitted Amendment 34. Amendment 35 is scheduled for the first quarter of 1988. Future amendments to the FSAR will be provided at least as frequently as required by 50.71(e), thus clearly complying with the intent of the regulation.

The requested exemption is authorized by law and poses no risk to the public health and safety or the common defense and security. Since no changes to the facility are explicitly involved, the exemption would have no environmental impact. GPC therefore believes that the requested exemption to 50.71(e) is justified and requests NRC approval.

If you should have any questions or require additional information concerning this request, please contact this office.

Sincerely,

William S. Burr /for

L. T. Gucwa

JH/lm

c: (see next page)

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